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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1682 OF 2006
IN
INCOME TAX APPEAL (L) NO. 876 OF 2006

The Commissioner of Income Tax ... Appellant

Versus

Telavideo Electronics Pvt. Ltd. ... Respondent

Mr. A.D. Kango with Mr. R.G. Bhat for the Appellants.

Ms. B.A. Pillai for Respondent.

CORAM: F.I. REBELLO &
R.S.MOHITE, JJ.
DATED: DECEMBER 19, 2007

P.C.

. This is a notice of motion for condoning the delay of 472 days in filing the main tax appeal. On perusal of the affidavit in support of the notice of Motion, we find that the file was sent to the panel counsel for drafting the appeal memo on 31.1.2005 but it was given to Advocate for drafting on 10.1.2006. The appeal memo was received on 7.4.2006. In our view, the delay period between 31.1.2005 and 7.4.2006 has not been properly explained. In the circumstances, sufficient cause is not shown to condone the delay. Hence, Notice of Motion is dismissed.

(R.S.MOHITE, J.) **(F.I.REBELLO, J.)**